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ABSTRACT

Reported in the last of a series are summarized versions of approximately 110 bills relating to the education of exceptional children that were introduced in state legislatures in 1975. The report, produced by the Handicapped Children's Education Project of the Education Commission of the States, is said to make no attempt to present all bills introduced, but rather to provide an overview of major legislation related to handicapped individuals. Given for each bill is information regarding bill number and sponsor, basic provisions, and status as of August 1, 1975. Bills are listed alphabetically by state, under the following subjects: census/registry/reporting; centers, commission, offices for special education services; certification of professional personnel; comprehensive special education services; early education services; enrollment limitations; expanded special education services; finance formulas/taxation; residency requirement for education services; rights; sanctions; state aid/categorical programs; state aid/general special education programs; state policy; and transportation aid. (SB)

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SPECIAL EDUCATION IN THE STATES: LEGISLATIVE PROGRESS REPORT

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August 1975

*Additional copies of this report may be obtained
from the Education Commission of the States, 300 Lincoln Tower,
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WHAT IS HACHE?

The Handicapped Children's Education Program, a project of the Education Commission of the States, seeks as its goal to obtain within each state a commitment at the highest policy level to increase provisions for educational services to handicapped children.

The activities conducted by the HACHE project are based on the following three objectives and have been planned to assist each state in developing and implementing a commitment to full educational opportunities for the handicapped:

- Improve state legislation for handicapped children by assisting states in initiating, reviewing, amending and implementing legislation.
- Improve the utilization and allocation of each

state's resources for providing educational services for the handicapped through the study and analysis of legislative issues and administrative procedures.

- Provide for the formulation and application of state policies for the education of the handicapped through task force activities, staff services to state governments and the promotion of the value of improved educational opportunities.

A task force consisting of 10 ECS commissioners and five professional and lay persons meets four times annually to develop recommendations related to program activities and to assist the states with legislative and administrative policies for the benefit of the handicapped.

PREFACE

One of the functions of the Handicapped Children's Education Project of the Education Commission of the States over the past four years has been to act as a dissemination and referral center for information requests from legislators, educators and others who are interested in the education of handicapped children.

This report contains summaries of major bills introduced or enacted in the state legislatures in 1975. In some states, because the legislatures are still in

session, final decisions have not yet been made. Those states that are included in this report are California, Michigan, New Jersey, Pennsylvania, Massachusetts and Wisconsin. This report does not include all the bills that have been introduced in the legislatures in 1975, but rather represents an overview of major state legislation related to handicapped individuals.

This is the last in a series of legislative progress reports published under Grant No. OEG-0-72-0242(607) by the Handicapped Children's Education Project of the Education Commission of the States.

The project presented or reported herein was performed pursuant to a grant from the U.S. Office of Education, Department of Health, Education and Welfare. However, the opinions expressed herein do not necessarily reflect the position or policy of the U.S. Office of Education, and no official endorsement by the U.S. Office of Education should be inferred. This project is supported by the Bureau of Education for the Handicapped. Grant Number OEG-0-72-0242(607).

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SPECIAL EDUCATION IN THE STATES: LEGISLATIVE PROGRESS REPORT

STATE

BILL/
SPONSOR

BASIC PROVISIONS OF THE BILL

STATUS (as of 8-1-75)

Census/Registry/Reporting

South
Dakota

AB 598
Representative
Mortimer

Requires that a child suspected of severe auditory impairment be reported to the Department of Health.

Signed by the
Governor 2-24-75;
effective 6-1-75

Centers, Commissions, Offices for Special Education Services

Arizona

SB 1071
Committee
on Education

Provides for definitions of powers and duties of the state board of education and the superintendent of public instruction; creates a division on special education, with an advisory board.

Died in Senate
Education Committee

Connecticut

HB 5634
Committee
on Education

Concerns the special education resource center maintained by the state board of education with federal funds; ensures the maintenance of the center as a training-facility to assist special education teachers on a continuing basis.

Signed by the
Governor 5-16-75;
effective 10-1-75

Illinois

HB 150 and
HB 151
Senators
Juckett and
MacDonald

Creates the department of services for the handicapped and appropriates \$150,000 for that department for fiscal 1976.

Interim Study
Committee; no change
until January 1976

HB 1723
Representative
Stiehl

Provides for the establishment, in the Office of Education, of a pilot grant program for physical and psychological screening and detection of learning disabilities.

Died in the House
Committee on
Elementary and
Secondary Education

Maryland

HJR 8
Representative
Fummage et al.

Requests the governor to establish a commission to study the problem of students who cannot adapt to normal classroom settings because of emotional handicaps and to provide recommendations to correct educational inadequacy.

Unfavorable report.
Constitutional,
Administrative and
Law Committee, 3-14-75

A, AB, H, HB = House Bills
S, SB = Senate Bills
LD = Legal Document

LB = Legislative Bills
SJR = Senate Joint Resolution
HJR = House Joint Resolution

SF = Senate File
Ch = Chapter
PA = Public Act

PC = Public Chapter

<u>STATE</u>	<u>BILL / SPONSOR</u>	<u>BASIC PROVISIONS OF THE BILL</u>	<u>STATUS (as of 8-1-75)</u>
Maryland (continued)	HJR 110 Representative Knoll (Joint Resolution 76)	Requests the governor to appoint a commission to study and make recommendations concerning the funding of special education for handicapped students.	Signed by the Governor on 5-15-75
New Jersey	SB 13 Senator Beadleston	Creates within the department of education a bureau for the deaf and appropriates specific sums to be included in an annual or supplemental appropriations act.	Assembly Education Committee
	SJR 11 Senators Iirikala, Russo and Bedell	Creates a 12-member commission to study the nature, extent and amount of state aid programs for mentally retarded persons.	Institutions, Health, Education and Welfare Committee
North Carolina	SB 66 Senator Gudger (Ch. 896 of session laws)	Provides for creation of regional education training centers for children with special needs. Creates within the state department of education a system of centers that would: (1) provide inservice training to all special education teachers and other professionals, (2) develop in kindergarten and primary-grade teachers the necessary skills to detect potential special education needs and the capability to plan special education programs, (3) provide inservice training and consultative services to a parent or guardian of a child with special needs and to appropriate public school administrative arrangement personnel, (4) work with the various local human resources agencies and (5) conduct an in-depth evaluation of the impact of inservice training on the delivery of services to children with special needs within the public schools on an annual basis.	Ratified on 6-26-75; effective same date
Oregon	HJR 53 Senator Peck et al.	Creates nine-member Interim Committee to study and report on mental retardation and developmental disabilities and to make suggestions for comprehensive system to provide services for such need.	Died in House Human Resources Committee
West Virginia	SB 80 Senator Nelson	Requires open meetings of the Advisory Council for the Education of Exceptional Children, with prior public notice of meetings and tentative agenda; requires the council to establish a right to education office to assist parents of exceptional children in obtaining proper educational opportunities.	Died in Senate Committee on Education

<u>STATE</u>	<u>BILL/ SPONSOR</u>	<u>BASIC PROVISIONS OF THE BILL</u>	<u>STATUS (as of 8-1-75)</u>
<i>Certification of Professional Personnel</i>			
Florida	HB 728 Representative Johnson	Requires certified elementary classroom teachers to have college training or its equivalent in student behavior to detect students with exceptionalities; present teachers are given 24 months to complete the requirement, with 20-hour workshops in school districts permitted to meet requirement.	Profile for 1976 session, House Appropriations Committee
Georgia	HB 671 Representatives Burton, Patten and Noble	Amends the "Adequate Program for Education in Georgia Act." After July 1, 1976, any person certified as a teacher, principal or guidance counselor must have satisfactorily completed a course of five or more quarter hours, approved by the state board of education, in the identification and education of children with special educational needs, or must have satisfactorily completed an equivalent preparation in a staff development program designed to assist teachers, principals and guidance counselors in the identification and education of children with special educational needs, provided such program has received prior approval of the state board of education.	Signed by the Governor on 3-25-75
		Teachers, principals and guidance counselors of other states who would be employed and certified in Georgia schools but lack the requirements of this provision would have a period of one year from date of employment to obtain this prescribed training. Teachers already certified in Georgia would have until their re-certification date to comply with this provision. (This bill is similar to HB 163, which was defeated in the House Education Committee in February 1975.)	
Illinois	HB 2111 Representative Porter	Adds instruction in identification, psychology and teaching of handicapped children as a requirement for renewal of a teaching certificate.	Died in the House Committee on Elementary and Secondary Education
Maryland	HB 1645 Representative O'Brien	Provides for scholarships for preparation of teachers of the handicapped by the state scholarship board.	Died in House Ways and Means Committee
Missouri	HB 364 (HCS 357) Representative Goode	Eliminates from the statutes the requirement that all persons receiving a teaching certificate, other than those issued for life, must have a course of two or more semester hours in psychology and education of exceptional children. (HB 364 was combined with seven other education bills to form House Committee Substitute [HCS] 357.)	Died in Senate Education Committee

STATE

BILL/
SPONSOR

BASIC PROVISIONS OF THE BILL

STATUS (as of 8-1-75)

Oregon

SB 908
Committee on
Education

Requires the Children's Services Division to provide training programs for paraprofessionals and education specialists and to establish family intervention programs for families and children who exhibit aggressive behavior.

Died in Senate
Ways and Means
Committee

Wisconsin

HB 278
Representative
Shabaz et al.

Requires persons receiving teaching certificates or licenses after June 1, 1976, to have completed three semester hours of accredited study in learning disabilities of children. Teachers certified or licensed before that date are given until September 1, 1977, to either acquire the requisite semester hours or participate in an inservice program in learning disabilities conducted or supervised by the department of public instruction.

Assigned to Joint
Committee of
Finance, 6-12-75

Comprehensive Special Education Services

Arizona

SB 1078
Committee
on Education

Requires that special education for all handicapped children be provided by each school district.

Passed Senate;
died in House
Education
Committee

HB 2288
Committee
on Education

(Amends Title 15.) Extends time for establishing special education programs to 1976; limits funding for certain pupils; decreases certain state aid to 75 percent of excess cost.

Died in House
Education
Committee

Arkansas

SB 351
(Act 641)
Senators
Bearden and
Ford

Includes several amendments to Act 102 of 1973 (Mandatory Special Education Act) that have been recommended by the State Advisory Committee and by consultants employed to develop plan for implementation of the act.

Signed by the
Governor on 3-28-75

HB 416
Representative
Osterlowh

Amends Act 102 of 1973 (Arkansas Statutes, Sec. 80-2117) to express intent that full services be available to all handicapped school-age children in the state by school year 1975-76, instead of 1979-80.

Died in Education
Committee on 5-14-75

California

AB 4040
Ch. 1532
Representative
Lanterman

Requires the state board of education to establish a California master plan for special education to be administered by the state superintendent of public instruction. Authorizes county superintendents of schools, with approval of the county boards of education, to submit comprehensive local plans to include provisions for testing and placement of individuals, appeal procedures and pupil participation in education programs subject to written consent of parents or guardians. Requires the state superintendent to review and conduct on-site audits of each approved program. Authorizes county superintendents of

Enacted;
signed by the
Governor 9-27-74.
Effective 1-1-75

STATEBILL/
SPONSORBASIC PROVISIONS OF THE BILLSTATUS (as of 8-1-75)AB 4040
Ch. 1532
(continued)

schools to levy a property tax for support of programs under comprehensive plan. Such taxes shall not exceed the amount by which program expenditures exceed state support. Such tax is in lieu of taxes the county superintendent is otherwise authorized to levy for the support of special education programs. Definition of individuals with exceptional needs are all pupils whose education needs cannot be met by the regular classroom teacher with modifications of the regular school program, and who require the benefit of special instruction and services. The age of eligibility ranges from 3 and 4.9 inclusive to age 21.

Connecticut

SB 578
Senator
Lieberman et al.

Concerns children needing special education, to make the responsibilities of the local boards of education more explicit and to increase the amount of state aid to local boards to offset the mounting costs of special education programs and services.

Died in Joint
Standing Committee
on Education

Missouri

HB 432
Representatives
Mulvaney,
Goode et al.Died on Senate
Calendar for
third reading

New Jersey

SB 441
Senator
BeadlestonSenate Education
Committee

Requires state agencies collecting information on handicapped and severely handicapped children to cooperate with local school districts, special school districts and the department of elementary and secondary education in making the information available to them. Stipulates that the state department of elementary and secondary education shall provide transportation for children who receive education services in other state-operated schools or programs operated through contract by the state board of education. Provides that the school district, which would be responsible for providing education for children in programs of the department of mental health, is responsible for per-pupil cost of the special education services. Increases state aid from \$6,000 to \$7,000 for approved classes and from \$4,000 to \$7,000 for the amount to be received by professional staff members other than classroom teachers.

Provides that the state board of education shall identify and ascertain which handicapped children, if any, between the ages of 5 and 20 in public schools cannot properly be accommodated through the school facilities usually provided. In addition, when deemed appropriate, each board of education shall also identify those children between the ages of 3 and 5 who require and who would benefit by a special education program that may prevent their handicap from becoming more debilitating. The board of education may, if a local child study team so recommends and the commission approves, provide for children under the age of 5 suitable facilities, programs and special services as are provided for children 5 years of age or over.

STATE

BILL/
SPONSOR

BASIC PROVISIONS OF THE BILL

STATUS (as of 8-1-75)

Oregon

SB 157
Committee
on Education

Combines into one law (1) the handicapped child law, (2) program for mentally retarded and (3) program for emotionally handicapped children. Extends definition for classification of handicapped children. Modifies funding formula setting 50-percent reimbursement to school districts of approved expenditures for special education, in addition to basic school support funds.

Passed both houses 5-30-75; signed by the Governor 7-3-75; effective 9-1-3-75

HB 2134
Joint Interim
Committee on
Education

Expands the definition of handicapped children and requires the establishment of criteria and rules by the superintendent of public instruction. Permits the state board of education to contract with approved private agencies for special education and permits the state board of education to contract for education services to deaf-blind children. Limits reimbursements to school districts for special education to the lesser of 50 percent of the approved excess cost or 50 percent of the approved expenditure for special education. Changes the name of the State Advisory Council for Emotionally Handicapped Children to the State Advisory Council for Handicapped Children.

Died in Committee

Early Education Services

Arkansas

HB 1049
(Act 965
of 1975)
Joint Budget
Committee

Appropriates \$37,000 for the support of a pilot program in one district for the early education of children with hearing defects.

Signed by the Governor 4-8-75; effective 7-1-75

California

AB 421.
Representative
Ralph

Takes away from the state department of education and the state superintendent of public instruction the supervision and responsibility for child-care programs and creates a new agency to be known as the "State Family, Children, and Youth Services Council" to supervise child care and child-development programs.

Referred back to Committee on Human Resources after second reading, 2-17-75

AB 451
Ch. 1005
Representative
Moretti

Appropriates \$31.4 million for children's center programs and \$200,000 for evaluative study of preschool programs.

Enacted; signed by the Governor 10-1-73; effective 10-1-73

SB 1575
Ch. 495
Senator
Grunsky

Lowers the age from 5 to 3 years of severely mentally retarded pupils for whom school districts and county officers are authorized but not required to provide special education.

Signed by the Governor 7-11-74; effective 7-11-74

STATEBILL/
SPONSORBASIC PROVISIONS OF THE BILLSTATUS (as of 8-1-75)

Colorado

HB 1583
Representative
Lloyd

Concerns preschool learning disabilities. Requires testing and remedial programs by school districts for children aged three or under with learning disabilities, and provides for reimbursement of 50 percent of costs by appropriation to the state department of education.

House Education
Committee
postponed
indefinitely, 6-17-75

Connecticut

HB 6570
Representative
Klebanoff

Concerns lowering the mandatory age for provision of special education programs; mandates special education programs for handicapped children starting from birth or the point of diagnosis.

Died in joint
Standing Committee
on Education

Florida

CSHB 1024
House
Education
Committee

Authorizes district school boards and school principals to develop alternative education programs for disruptive students, with special emphasis on early childhood education; the state department of education would fund up to one-half program cost.

Prefile for 1976
session, House
Appropriations
Committee agenda

New York

S 391
Senator
Calandra

Provides that school districts having 10 or more handicapped children of ages 3-5 who could be grouped homogeneously must establish or contract with other districts for special classes.

Died in Senate
Education Committee

Oregon

SB 886
Senator
Burbridge

Requires the state department of education to establish standards for approved early childhood education programs and authorizes school districts to reimburse parents for tuition paid to obtain early childhood education programs. Would appropriate money from the General Fund for local school districts to reimburse parents for tuition costs of approved programs.

Died in Senate
Education Committee

Enrollment Limitations

California

AB 33
Representative
Foran

Prohibits the exclusion of any pupil enrolled in programs for the educationally handicapped because of a drop in enrollment of the district. The present law limits enrollment in such programs to two percent of the total district enrollment.

"Do pass"
received from
Assembly Ways and
Means Committee

AB 414
Representative
Foran

Permits school districts to enroll two percent of the total number of pupils enrolled in both public and private schools in the district.

Amended and passed
to Ways and Means
Assembly

AB 2699
Ch. 904
Representative
Murphy

Provides for use of mobile classrooms for specified handicapped pupils.

Enacted;
signed by the
Governor 9-19-74

STATE BILL/
SPONSOR

BASIC PROVISIONS OF THE BILL

STATUS (as of 8-1-75)

Colorado HB 1281

Representative Arnold

Repeals grounds for expulsion and denial of admission to public schools relating to physical or mental disability or disease.

Referred to Interim Conference Committee

Connecticut HB 6710

(Public Act 438)

Substitute HB 6710

Representative Klebanoff

Concerns mediation alternative to special education hearing at the local board of education level.

Passed House, 5-28-75;
Passed Senate, 5-30-75;
signed by the Governor 6-25-75;
effective 10-1-75

Expanded Special Education Services

California

AB 423
Representative Kapiloff

Changes the terms "educationally mentally retarded" and "trainable mentally retarded" to "educationally educable exceptional" and "trainable exceptional." It would also prohibit the records of any educable exceptional pupil or trainable exceptional pupil from containing the term "mentally retarded," and would make various technical changes in the law relating to such pupils.

Amended by author and referred back to Assembly Education Committee, 5-6-75

AB 440
Representative Kapiloff

Adds to the categories of physically handicapped pupils those "who, as a result of the impairment of their motor skills caused by congenital birth defects, have learning disabilities." Would include physical therapy in the educational program provided for these students.

Amended 5-15-75 on first hearing of the Assembly Education Committee

AB 634
Representative Foran

Creates a new classification of students entitled "seriously emotionally disturbed" and provides that such students attend an excess of the regular school year and that the maximum enrollment per class shall be eight students.

Assembly Education Committee

Connecticut HB 6575
Representative Klebanoff

Concerns occupational training programs for mentally retarded students; requires provision of educational, occupational training programs for mentally retarded students between 16 and 21. Provision of these programs is now permissive.

Died in Joint Standing Committee on Education

CSHB 6709
(Public Act 75-137)
Committee on Education

Concerns state board of education supervision of special education; provides a clarification of the relationships of several state agencies with respect to special education programs and more clearly defines state board of education responsibilities for the educational component of such programs.

Signed by the Governor 5-20-75; effective 10-1-75

STATEBILL/
SPONSORBASIC PROVISIONS OF THE BILLSTATUS (as of 8-1-75)

Illinois

HB 1867
Representative
Luft

Provides that high school districts are financially responsible for handicapped pupils when such pupils have fulfilled education requirements established by the elementary schools.

Died in Committee on Elementary and Secondary Education

Maryland

SB 886
Senator
Bishop et al.

Amends school code to require that standards of vocational programs for the handicapped be established before a certain date and in a certain manner.

Died in Senate Finance Committee, 3-3-75

Michigan

SB 484
Senator
Faxon

Provides for parent cooperative preschools and the regulation thereof; prescribes the powers and duties of certain state agencies and provides for the certification of preschool teachers.

Senate Education Committee

HB 4514
Representative
Angel

Makes special education programs and vocational area center assistance available to handicapped with high school diploma to age 25.

House Education Committee

Oregon

SB 622
Committee
on Education

Makes the state board of education responsible for approving educational programs for children living in or under the care of state hospitals and training centers for the mentally retarded. Makes the Mental Health Division responsible for payment of the cost of such education.

Passed both houses, 6-4-75; signed by the Governor 7-2-75; effective 9-13-75

SB 661
Senator
Roberts

Defines neurologically impaired children and authorizes the Mental Health Division to contract with public or private agencies to provide appropriate integrated medical, educational, social and psychological classroom programs for neurologically impaired children within the limit of state appropriations for such programs.

Died in the Senate Ways and Means Committee

Tennessee

SB 830
(PC 147)
Senator
Baird

Allows blind children and their parents to elect regular education or education at state school for blind.

Signed by the Governor on 5-14-75

Finance Formulas/Taxation

Arizona

HB 2416
Ch. 140
Committee on
Appropriation
by permission
of Committee
on Rules

Establishes a new funding formula for special education. The present law would be changed from 90 percent of the cost of the program to whatever the legislature appropriates. Requires a study of special education to be completed by December of 1975.

Signed by the Governor on 6-13-75; effective 9-12-75

STATEBILL/
SPONSORBASIC PROVISIONS OF THE BILLSTATUS (as of 8-1-75)

Connecticut

HB 5492
Representatives
Walsh and
Pollak

Concerns reimbursement for special education; provides reimbursement for special education programs in an amount equal to 66-2/3 percent of the total cost instead of net cost, as presently provided.

Died in Joint
Standing Committee
on Education

Florida

HB 983
Representative
Hodes

Adds to the Florida Education Finance Program the provision that the cost factor for Gifted 1 program (3.00) cannot be reduced unless all other exceptional child cost factors are reduced proportionately.

Prefile for 1976
session, House
Education Committee

HB 1718
Representative
Moffitt

Provides for the redistribution of certain funds under the Florida Education Finance Program to regular or exceptional child education programs in order to facilitate consultation, testing and other activities not related to direct pupil-teacher contact and of benefit to basic or exceptional students in the regular class.

Prefile for 1976
session, House
Education Committee

Illinois

HB 368
Representative
Hirschfield

Provides for separate buildings and facilities for handicapped children who cannot attend public schools. Also establishes a taxing and bonding authority to construct and maintain such separate facilities.

Died in
committee

Maryland

HB 809
The Speaker

Provides new methods, procedures and formulas for the state and local funding of special education services; provides for a four-year phase-in of the program; and requires certain contributions by state and local governments.

Passed both Houses
on 3-5-75; signed by
the Governor on 4-27-75

Massachusetts

HB 128
Department
of Education
Proposal

Revises formula for state aid to the public schools. Replaces CH 70, special education, transitional bilingual education and vocational education with a two-part program based on a percentage equalizing formula and a supplemental guaranteed yield formula.

Amended by resolve
(Study House 6002);
cleared House and
pending before
Senate for study

Michigan

SB 164
(PA 26)
Senator
Vanderhaan

Continues property tax for special education upon consolidation of intermediate school district.

Passed both Houses;
signed by the
Governor on 4-23-75;
effective immediately

Residency Requirement for Education Services

Maine

LD 507
(PA Ch. 69)
Senators
Katz and
Kennebec

Enables classification of residents of state institutions as resident pupils. Permits residents of state institutions between the ages of 5 and 20 years to attend public schools in the administrative unit in which the institution is located or in an adjoining administrative unit classifying such residents as resident pupils.

Signed by the
Governor on 3-18-75

STATE

BILL /
SPONSOR

BASIC PROVISIONS OF THE BILL

STATUS (as of 8-1-75)

Rights

Connecticut	HB 6728 (Public Act 75-94) Committee on Education	Concerns procedures for review of educational programs for exceptional children.	Signed by the Governor on 5-13-75; effective 10-1-75
Florida	HB 501 Representative Wilson	Requires written permission of parent to enroll student in experimental or innovative program, to counsel in areas of social, emotional, mental or personal problems, to test or survey, personal information pertaining to student or family, or to take part in psychological or psychiatric-group sessions. Parents are permitted to examine all instructional materials and tests.	Prefiled for 1976 session, House Education Committee
Indiana	HB 815 (Ch. 75-259) Health and Rehabilitative Services Committee, Representative Kutun et al.	Provides certain rights relating to services received by "clients" and provides civil liability for persons violating rights of clients, as well as certain exceptions for liability.	Signed by the Governor on 6-29-75; effective 7-1-75
Maryland	SB 42 Senators Bosma and Garton	Includes handicapped persons in the Civil Rights Act. Creates concurrent investigatory powers in the Civil Rights Commission and the Commission for the Handicapped.	Died in Senate Judiciary Committee
Michigan	SB 767 Senator Abrams	Creates mental health and retardation information and review service to inform persons under the care of any mental health facility of their civil and legal rights; provides assistance to these persons.	Died in committee
South Dakota	HB 5850 (Public Act 291 of 1974) Representative Kildee	Provides preferential employment for persons whose service was discontinued due to reorganization of special education services and provides that such personnel shall be entitled to all rights and benefits to which they would otherwise be entitled had they been employed originally.	Signed by the Governor 10-15-74; effective immediately
	SB 84 Senator Sutton et al.	Sets up procedures for commitment of mentally retarded persons so as to establish personal rights of such persons, and revises certain laws relating to mentally retarded and developmentally disabled persons.	Signed by the Governor on 3-31-75

BILL/
STATE SPONSOR

BASIC PROVISIONS OF THE BILL

STATUS (as of 8-1-75)

Texas SB 980 Senator Mauzy Establishes a hearing procedure to assure parents of exceptional children due process in the identification, evaluation and placement of their children.

Passed both Houses; vetoed by the Governor, 6-2-75

Wisconsin AB 1 Representative Wahner et al.

Relates to civil rights of the physically handicapped.

Reported out of committee and on calendar; Assembly Substitute Amendment No. 2-replaced Assembly Bill 1

Sanctions

Oregon SB 621 Committee on Education Requires superintendent of public instruction to establish sanctions for school districts that fail to provide special education instruction to children needing special education.

Died in Senate Ways and Means Committee

State Aid/Categorical Programs

California SB 928 Ch. 47 Senator Zenovich Includes pupils with speech disorders within the definition of exceptional children for purposes of state school-building aid to districts for special education facilities which do not qualify for regular state building aid.

Enacted; signed by the Governor 9-25-73; effective 9-25-73

SB 1586 Ch. 1501 Senator Marks Makes eligible for state support the educationally handicapped pupils with visual-perceptual disorders enrolled in private nonsectarian schools and institutions or agencies.

Enacted; signed by the Governor 7-24-74; effective 1-1-75

Colorado SB 36 Senator Strickland et al. Provides services for the developmentally disabled and makes an appropriation. Provides for powers and duties of the department of institutions and describes four broad types of programs to be developed at the community level.

Postponed indefinitely 5-5-75, in the Senate Appropriations Committee

Illinois HB 119 Representative Porter Permits payments of up to \$500 per summer for a pupil attending a private school for a learning disability when the public school offers no such summer program.

Sent to Governor for approval

<u>STATE</u>	<u>BILL/SPONSOR</u>	<u>BASIC PROVISIONS OF THE BILL</u>	<u>STATUS (as of 8-1-75)</u>
Illinois (continued)	HB 1841 Representative Pierce	Increases special education reimbursement for children attending private schools.	Sent to Governor for approval
	HB 2150 Representative Pierce	Changes the amount of local contribution and the amount of state tuition reimbursement to school districts resulting from special-education private facility placement.	Sent back to committee for further study
	HB 2769 (PA 78-1253) Representative Jackett	Amends the school code to increase state reimbursement of special education personnel from \$5,000 to \$6,250 for professional personnel and from \$2,000 to \$2,500 for noncertified personnel.	Vetoed by Governor Walker but overridden by House 11-20-74 and Senate 12-4-74
New Jersey	AB 335 Representative Froude	Establishes experimental early childhood education programs for handicapped children, which show promise of promoting a comprehensive and strengthened approach to the special problems of such children. Appropriates \$1 million for implementation.	Assembly Education Committee
	AB 1031 Representative Baer	Relates to the development of quality education programs for gifted or talented children. "Gifted or talented students" means students whose intellectual capacity or talent potential in art, language, mathematics, music or science are so superior that their full potential for development may be significantly impaired by failure to receive an appropriate special education program, or that their ability to profit from the regular education program usually offered to students at their age may be significantly impaired. A two-year pilot program will be developed to provide such appropriate special education for gifted or talented students. Appropriates \$240,000 to the department of education for the purposes of this act.	Assembly Education Committee
	SB 123 Senator Fay	Appropriates \$1 million for extended workshop employment programs for the severely handicapped.	Senate Revenue, Finance and Appropriations Committee
New York	S 245 Senator Caemmerer	Provides state aid to school districts that provide approved instructional programs for pupils with minimal learning disabilities.	Died in Senate Education Committee

BILL/
SPONSOR

BASIC PROVISIONS OF THE BILL

STATUS (as of 8-1-75)

New York
(continued)

S 976
Senator
Flynn

Provides that severely handicapped children, when a school district cannot serve them adequately, become eligible to attend a day training or treatment center as state pupils receiving public education services, with the cost charged to the state.

Died in Senate
Education
Committee

Pennsylvania

H 228
Representatives
Itkin,
Parker et al.

Provides tuition and maintenance for socially and emotionally disturbed children in approved schools and increases the cost of tuition from \$3,300 to \$5,500.

House Education
Committee

Texas

SB 84
Senator
Brooks
(Companion
HB 280
Representative
Madla)

Amends school code provisions relating to education programs for gifted students.

Died in Senate
Education Committee;
companion HB 280
passed both Houses
and signed by the
Governor 6-23-75;
effective in 90 days

State Aid/General Special Education Programs

Colorado

HB 1448
Representative
Knox

Concerns handicapped children and permitting school districts to provide educational services for them by contracting with private schools or other competent agencies.

Postponed
indefinitely, House
Appropriations
Committee, 6-17-75

Connecticut

HB 6725
Representative
Webber

Ensures, through a special education appeal procedure, reimbursement of parents for costs incurred when a school board fails to diagnose or misdiagnoses a child in need of special education.

Died in the
House Education
Committee

HB 7031
Representative
Dzialo

Concerns state aid for special education; increases from 66-2/3 percent to 75 percent of excess cost in 1975-76 and to 100 percent in 1976-77, and makes the payments current by adding the reimbursement due for 1974-75 in three annual payments.

Died in the
House Education
Committee

Florida

HB 1164
Representative
Craig

Lists Florida School for Deaf and Blind as eligible for funds under the community school program.

Prefiled for
1976 Session

<u>STATE</u>	<u>BILL/ SPONSOR</u>	<u>BASIC PROVISIONS OF THE BILL</u>	<u>STATUS (as of 8-1-75)</u>
Florida (continued)	CSHB 570 Committee on Education	Directs the department of education, department of administration and department of revenue, in cooperation with the state board of education and legislature, to study alternative methods of school financing other than local property taxes, to be implemented by July 1, 1980, if adopted by the legislature.	Prefiled for 1976 Session
Illinois	SB 405 Senator Egan	Increases special education reimbursement for children attending private schools from \$2,000 to \$2,500 per student or the amount of payments in excess of \$800.	Sent to the Governor for approval
	HB 1676 Representative Craig	Revises the school aid formula to provide \$200 per pupil in average daily attendance, with additional weightings for pupils in grades 7 through 12, kindergarten pupils and special education pupils.	Died in the House Committee on Elementary and Secondary Education
	HB 960 Representative Dunn	Provides that if the school district in which a handicapped child lives does not have a special education program meeting the child's needs, the school district must pay to a special education facility, which the child attends in another county, an amount equal to the average per-capita education cost in the district. The state board of education is authorized to pay the balance of the cost for educating the child.	Failed on third reading in the Senate
	HB 1772 Representative Rayson	Changes the claim procedure and payment to districts for special education to quarterly (now annual) reimbursement.	Sent to the Governor
	HB 2017 Representative Rayson	Provides that the school district residence of any handicapped child under the custodial care of the department of mental health and development disabilities is the district of residence and must pay the cost of educating the child.	Died in committee
	SB 425 Senator Fawell	Authorizes school districts to issue bonds and levy a tax to pay their share of certain special education projects entered into jointly with other school districts.	Sent to the Governor
Indiana	HB 1949 Representatives R. Jones and Lamkin	Provides special education vouchers to special education nonpublic schools for pupils with extraordinary needs.	Died in the House Ways and Means Committee

STATEBILL/
SPONSORBASIC PROVISIONS OF THE BILLSTATUS (as of 8-1-75)Indiana
(continued)HB 2108
Representatives
Hric and
Crowe

Provides for reimbursement of the approved cost of educating certain handicapped children who reside in residential facilities or foster homes operated by the state, a private agency or individual. The reimbursement would go through the school district where the facility or home is located. Also creates a special education transfer fund and gives the Commission on General Education the authority to establish rules and regulations governing the administration of these funds.

Died in conference
committee on 4-30-75

Missouri

SB 292
Senator
Grant

Increases state aid from \$6,000 to 75 percent of the actual cost for each approved class, including approved classes of remedial reading; from \$4,000 to 75 percent of the total cost for special materials and professional staff members other than classroom teachers; and from \$2,000 to 75 percent of the total cost for full-time teacher aides.

Died in Senate
Committee on Mental
Health and
Developmental
Disabilities

New York

S 266
Senator
Pisani

Increases the stipend for instruction of handicapped children to \$4,000 per year and specifies that instruction shall be from age 3 to age 21.

Died in Senate
Education Committee

S 402
Senator
Conklin

Mandates rather than authorizes the state education department to contract for the teaching of handicapped children.

Died in Senate
Education Committee

S 998
Senator
Giuffreda

Provides that pupils with special education needs or handicapping conditions not already weighted would be weighted at 1.25 for state aid purposes.

Died in Senate
Finance Committee

S 2458
Senator
Pisani

Increases special education reimbursement for children attending private schools from \$2,000 to \$2,500 per student or the amount of payments in excess of \$800.

Died in Senate
Education Committee

S 10539-A
Ch. 241
Committee on
Rules

Enacted;
signed by the
Governor 4-26-74;
effective 7-1-74

Amends the education law in relation to the budgets of Board of Cooperative Education Services (BOCES) and to apportionments to school districts. Chapter 241 of the laws of 1974 provides for aid to elementary and secondary education for 1974-75. A notable feature of this legislation is that it provides for additional weighted aid for pupils with special needs in specialized programs. The total pupil unit for the 1974-75 school year includes the weighting of handicapped pupils at 2.0, pupils with special education needs at 1.25, approved evening school students at 0.5 and approved summer school students at 0.12. There is no weighting for additional secondary pupil units. Districts are required to submit a three-year plan for use of money for the handicapped and pupils with special needs in the fall of 1974 and every third year thereafter.

STATEBILL/
SPONSORBASIC PROVISIONS OF THE BILLSTATUS (as of 8-4-75)North
DakotaHB 1005
Committee on
Appropriations

Makes grants to elementary and secondary schools, including \$7,252,096 for special education.

Passed both Houses on 3-24-75; signed by the Governor on 4-8-75

Oklahoma

HB 1183
Representative
Fried

Appropriates up to \$5,000 per year per class to the department of education for special education classes.

Died in Joint Conference Committee

SB 40
Senator
Smith

Appropriates \$1,685,000 to the state board of vocational and technical education to provide grants for special education classes.

Carried over to 1976 session, Senate Appropriations and Budget Committees

Virginia

HB 815
Representative
Diamondstein

Removes the ceiling on the amount of tuition a school board can pay parents for sending a handicapped child to a private nonsectarian school for the handicapped.

Died in House Appropriation Committee

State Policy

Colorado

HB 1150
Representative
Knox

Deletes a portion of the declared legislative intent of the Handicapped Children's Education Act, which provides that all handicapped children be educated in regular rooms when practicable.

Postponed indefinitely, House Education Committee, 6-17-75

North
CarolinaSB 67
Senator
Gudger
(Ch. 563 of
session
laws)

Amends legislation passed in 1974 session (Chapter 1293) to ensure every child from birth to age 21 a full and fair opportunity to reach his full potential. The state department of education and the department of human resources must jointly develop a statewide early childhood development program plan and present an operational plan to the Commission on Children with Special Needs by February 2, 1976.

Ratified on 6-12-75; effective upon ratification

Transportation Aid

Florida

HB 1125
Representatives
Hazelton and
Campbell

Increases the formula for transportation of exceptional children, setting reimbursement for transportation of isolated students at the same rate allocated to state employees for car mileage.

Prefiled for 1976 session, House Education Committee

<u>STATE</u>	<u>BILL/ SPONSOR</u>	<u>BASIC PROVISIONS OF THE BILL</u>	<u>STATUS (as of 8-1-75)</u>
Illinois	SB 527 Senator Egan	Requires reimbursement for reduced transit fare subsidies for special transportation services for the handicapped.	Sent back to Senate Education Committee for further study
	HB 1387 Representative Schnader	Requires school districts to pay the cost of transporting handicapped pupils to other districts or facilities up to the age of 25.	Sent back to House Education Committee for further study
Indiana	HB 1030 Representative Campbell	Requires local school boards to transport to and from school all special education students.	Died in House Ways and Means Committee
Maryland	HB 637 Ch. 702 Representative Sheehan et al.	Amends education code to require county boards of education and the Baltimore City board of education to arrange transportation for handicapped children.	Signed by the Governor on 5-15-75; effective 7-1-75
	HB 165 Representative Cardin	Requires the political subdivision in which a handicapped child resides to pay the cost of reasonable transportation during the school year to approved facilities located outside the State of Maryland or the political subdivision in which the child resides, and further provides that the state reimburse the subdivision for such transportation provided.	Unfavorable report in Ways and Means Committee
Nebraska	LB 148 Senator Goodrich	Expands transportation services for special education programs to include all handicapped children.	On general file for 1976 session
New York	S 1212 Senator Guiffreda	Empowers school boards to provide transportation for handicapped persons over age 21 to special classes, programs and activities.	Died in Assembly Education Committee
Pennsylvania	H 374 Representatives McCue, Petrarcer et al.	Amends the school code to require that school districts furnish free transportation to and from school or institution, including weekend travel for deaf children enrolled in an approved boarding school or institution; provides for reimbursement of such transportation.	House Education Committee

STATE

South
Carolina

BILL/
SPONSOR

S 42/
Senator
Carter

Virginia

HB 1152,
Representative
Robrecht et al.

BASIC PROVISIONS OF THE BILL

Makes the state department of education responsible for transporting handicapped children within a school district to the nearest school serving their needs.

Amends provisions relating to transportation of handicapped children enrolled in public or private special education programs. When a local school does not provide such transportation or allot funds for this purpose, the board of education can fix a minimum for such cost, not less than 40 percent of which would be paid by the school division and 60 percent by the state, subject to availability of funds.

STATUS (as of 8-1-75)

Signed by the
Governor on 4-23-75

Signed by the
Governor on 3-20-75

HANDICAPPED CHILDREN'S EDUCATION PROJECT TASK FORCE.

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